

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
W/S Marmenco Court, 570 ft. * ZONING COMMISSIONER
3510 Marmenco Court * OF BALTIMORE COUNTY
13th Election District *
1st Councilmanic * Case No. 92-234-A
E.J. Brody *
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Zoning Variance wherein the Petitioner seeks a variance from Section 258.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) "to permit a 0 ft. residential zoned boundary setback for parking trailers in lieu of the required 100 ft." (emphasis added). Further, a variance is requested from Section 255.2 of the B.C.Z.R., which by reference incorporates Sections 243.1, 243.2 and 243.3, to permit a 0 ft. setback in lieu of the required 75 ft., 50 ft. and 50 ft., respectively. All of the variances are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner/property owner, E.J. Brody, appeared at the hearing and was represented by Joel Newport, Esquire. Also appearing and testifying was Dennis Drenner, the President of the business, 4D Truck Rental and Sales, which operates on the property. Lastly, appearing as an expert witness on behalf of the Petitioner was Paul Lee, the Engineer who prepared the site plan. Appearing in opposition to the Petition was Calvin Richer, who resides on an adjacent property known as 2830 Rose Avenue. He was represented at the hearing by Charles E. Kountz, Esquire.

Mr. Lee introduced the plat to accompany the Petition and described

the property. He characterized the parcel as a unique piece of ground which contains approximately 4.398 acres (+/-) and is zoned M.L. This classification permits light manufacturing types of uses which is appropriate for the business occurring on site. Mr. Lee also noted that the zoning line establishing the M.L. classification is not consistent with the property line for this site. Specifically, the M.L. zoning continues onto the adjoining Richer property to a distance of approximately 10 to 15 ft. The placement of this line is significant in that it extends the restriction line into the adjoining Richer parcel, as shown on Petitioner's Exhibit No. 1, and provides an increased buffer to the neighboring residential use.

Mr. Lee also described the topography of the site and the unusual shape of the parcel, both of which restrict the useable portion thereof. The property is located at the end of Marmenco Court and the improved portion of the property is accessed by a fee simple strip which connects the public roadway to that portion of the property where the business operates. Also, the property slopes upward significantly from its north side to its southern boundary. The slope and dimension of the property combine to result in the loss of approximately 1.4 useable acres of the parcel. That is, because of the irregular shape and topography of the site, over one-fourth of the property is unusable by the Petitioner. Mr. Lee also testified that the Petitioner would suffer practical difficulty and unreasonable hardship if the strict provisions of the regulations were enforced. The reasons for that conclusion were based largely upon the factors enumerated above, as well as the very nature of the business conducted on site.

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ORDER RECEIVED
Date 1/26/92
By J. Brody

Dennis Drenner, the President of the company which operates the business also testified. He described his businesses as consisting of the sale, rental and service of truck trailers. He described the improvements on site which include a 140 x 100 ft. service building. This building houses 18 service bays where repairs on truck trailers are performed. There is also an attached office structure for the administrative functions related to the business. Mr. Drenner testified that it was necessary for trailers to park within the restriction lines shown on Petitioner's plat No. 1 because of the orientation of the building. That is, access to a certain number of the bays can be gained only through that portion of the property in which the variance setbacks are to be maintained under the regulation. Mr. Drenner also noted the difficult economic climate which his business faces and opined that his company might not survive if the requested variances were not granted.

Testifying in opposition to the Petition was the neighboring property owner, Calvin Richer. Mr. Richer and his wife own 3 acres, zoned D.R.5.5, which are located immediately adjacent to the subject property. Although the decision in this case must be rendered based upon existing conditions of the property, including their current zoning, one must wonder why these contradicting zoning classifications are placed immediately adjacent to one another. Clearly, there should be a buffer area between the commercial use which occurs on the subject site and the residential property which is located immediately next door.

Mr. Richer testified extensively as to his reasons for opposing the Petition. He objects primarily to the work which is done outside of the building on that portion of the subject tract which is immediately adjacent to his property. Specifically, he claims that the noise, dirt and

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ORDER RECEIVED
Date 1/26/92
By J. Brody

dust which are generated by work proceeding outside of the building cause him inconvenience and adversely affect his property.

Lastly, Derek Propolis, an inspector with the Office of Zoning Enforcement, appeared and testified. He briefly described the zoning history of this site from a violation standpoint and noted that he has been called repeatedly to this property in the past 4 years. He has observed many violations during that time, hence the Petition for Variance.

In considering the merits of the Petition before me, one must note the nature of the relief that is requested. That is, the Petitioner seeks a variance to permit parking of trailers within the restricted area. Although Mr. Drenner testified that, on rare occasions, repair work is done within that area, the Petitioner does not seek a variance to legitimize that specific activity. Indeed, if such relief was requested, it would be denied, in that I believe that function is overly intrusive to the adjoining residential land. Parking and storage uses, however, are another consideration. In my view, the configuration and topography of this lot cause the Petitioner real practical difficulty if the variances were not granted. As Mr. Lee correctly noted, the site could not be used for an otherwise permitted purpose, if the variances were not granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxa-

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ORDER RECEIVED
Date 1/26/92
By J. Brody

PETITION FOR ZONING VARIANCE 247
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 255.2 to permit a 0' residential zone boundary setback for parking trailers in lieu of the required 100' and a variance of Section 255.2 (243.1, 243.2 & 243.3) to permit a 0' setback in lieu of the required 75', 50' and 50'.
of the Zoning Regulations of Baltimore County, in the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
Practical difficulty in that strict compliance unreasonably prevents petitioner from using its property for permitted purposes; in that a variance will do substantial service to all property owners in the area; and in that the positive effects of business and industry recognized by the ordinance will be lost if this petition is not granted, as the petitioner will have to relocate its business.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalty of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	(Type or Print Name)
Signature	Signature
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	Attorney for Petitioner:
Thomas M. Trezise	921 S. Bentall St. 447-5800
(Type or Print Name)	Address
Signature	Phone No.
401 Washington Ave., P.O. Box 670	Baltimore, Md 21223-3384
Address	City and State
Towson, MD 21285-6705	Name
City and State	Towson, MD 296-4400
Attorney's Telephone No. 296-4400	Address
	Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at _____ o'clock _____ M.

(over)
Zoning Commissioner of Baltimore County.

tion than that applied for would give substantial relief; and

- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

It is also to be noted that the Petition for Variance underwent scrutiny from the various agencies within Baltimore County which comprise the Zoning Advisory Committee. Although most of these comments were neutral, the report from the Office of Planning is relevant. Within that report, it is noted that a landscape plan should be developed for the purpose of screening the property from its residential neighbor. I shall adopt that condition as a restriction to the granting of the variance to limit the intrusion of this manufacturing use upon the area as much as practical.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

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THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of January, 1992 that the Petition for Zoning Variance from Section 258.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 0 ft. residential zoned boundary setback for parking trailers in lieu of the required 100 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 255.2 of the B.C.Z.R., which by reference incorporates Sections 243.1, 243.2 and 243.3, to permit a 0 ft. setback in lieu of the required 75 ft., 50 ft. and 50 ft., respectively, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall submit a landscape plan for approval by the Deputy Director of the Office of Planning and Zoning, as set forth in his Zoning Advisory Committee comments dated January 6, 1992. Said plan shall be submitted within 60 days from the date of this Order.
3. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mnn

ORDER RECEIVED
Date 1/26/92
By J. Brody

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Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 28, 1992

Joel Newport, Esquire
Law Office of
Thomas M. Trezise
401 Washington Avenue
P.O. Box 6705
Towson, Maryland 21285-6705

RE: Petition for Zoning Variance
Case No. 92-234-A
E.J. Brody, Petitioner

Dear Mr. Newport:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
Lawrence E. Schmidt
Zoning Commissioner

LES:mnn
encl.

cc: E.J. Brody
921 S. Bentall Street
Baltimore, Maryland 21223
cc: Mr. Dennis Drenner
3510 Marmenco Court
Baltimore, Maryland 21230
cc: Charles F. Kountz, Esquire
2201 Hammonds Ferry Road
Baltimore, Maryland 21227

ORDER RECEIVED
Date 1/26/92
By J. Brody

Paul Lee P.E.

Paul Lee Engineering Inc.
305 W. Pennsylvania Ave.
Towson, Maryland 21204
410-221-5341

DESCRIPTION

3510 MARMENCO COURT
THIRTEENTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point located on the west side of Marmenco Court, said point also being located southwesterly 570 feet ± from the center of Patapasco Avenue, thence leaving said west side of Marmenco Court, by a curve to the right (1) R=126.00 feet, L=64.94 feet thence (2) North 59°32'00" West 250.81 feet, (3) N 63°29'10" West 90.00 feet, (4) South 69°00'00" West 55.00 feet, (5) South 40°06'00" West 160.54 feet, (6) South 34°57'40" West 200.00 feet, (7) North 14°28'40" West 251.74 feet, (8) North 30°09'10" West 184.64 feet, (9) North 77°44'40" East 91.77 feet, (10) South 76°51'20" East 96.40 feet, (11) North 28°31'20" East 331.36 feet to the south boundary of Baltimore City, thence running along said south boundary of Baltimore City (12) South 60°39'50" East 351.45 feet, thence leaving said south boundary of Baltimore City, (13) South 29°20'10" West 265.00 feet, (14) South 59°32'00" East 251.32 feet, and by a curve to the left (15) R=100.00 feet L=89.98 feet, to the west side of Marmenco Court, thence binding on the west side of Marmenco Court by a curve to the left (16) R=75.00 feet L=51.17 feet to the point of beginning.

Containing 4.398 acres of land, more or less.



Engineers - Surveyors - Site Planners

11/12/91

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

92-234-A

District: 13th
Date of Posting: December 21, 1991
Posted for: Variance
Petitioner: E. J. Brody
Location of property: 3510 Marmenco Court, 570' SW of c/l Patapasco Avenue
Address: 3510 Marmenco Court
Location of Sign: 1/2 of Marmenco Court, in front of subject property
Remarks: E. J. Brody
Signed by: E. J. Brody
Date of return: December 21, 1991
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/23, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/19, 1991.

THE JEFFERSONIAN,

S. Zeke Olson
Publisher

\$40.32

CERTIFICATE OF PUBLICATION

12/23, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in the ARBUTUS TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/19, 1991.

ARBUTUS TIMES

S. Zeke Olson
Publisher

\$40.32

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 118 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 92-234-A
1/3 Marmenco Court, 570' SW of c/l Patapasco Avenue
13th Election District
1st Councilmanic
Petitioner(s): E. J. Brody
Hearing Date: Monday, Jan. 15, 1992 at 9:00 a.m.

Variance to permit a zero foot residential zone boundary setback for parking trailers in lieu of the required 75 feet, 50 feet and 50 feet.

LAWRENCE E. SCHULTZ
Zoning Commissioner of Baltimore County
AJ15/177 December 15

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

Account: R0016190
Number

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DECEMBER 11, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92-234-A
1/3 Marmenco Court, 570' SW of c/l Patapasco Avenue
13th Election District - 1st Councilmanic
Petitioner(s): E. J. Brody
HEARING: MONDAY, JANUARY 13, 1992 at 9:00 a.m.

Variance to permit a zero foot residential zone boundary setback for parking trailers in lieu of the required 100 feet, and to permit a zero foot setback in lieu of the required 75 feet, 50 feet and 50 feet.

LAWRENCE E. SCHULTZ
LAWRENCE E. SCHULTZ

Zoning Commissioner of
Baltimore County

cc: E. J. Brody
Thomas M. Trezise, Esq.

Calvin Richer 12/13/91

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 26, 1991

Thomas M. Trezise, Esquire
401 Washington Avenue
Towson, MD 21285-6705

RE: Item No. 247, Case No. 92-234-A
Petitioner: E. J. Brody
Petition for Zoning Variance

Dear Mr. Trezise:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with above referenced petition. The attached comments from each reviewing agency are not intended to assure that that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committee Comments
Date: December 26, 1991
Page 2

- Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All Petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. E. J. Brody
621 South Benalou Street
Baltimore, MD 21223-3384

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 3rd day of December, 1991.

ARNOLD JARLAN
DIRECTOR

Received By:

JAMES E. DYER
CHAIRMAN
ZONING PLANS ADVISORY COMMITTEE

Petitioner: E. J. Brody

Petitioner's Attorney: Thomas M. Trezise

146/1
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BALTIMORE COUNTY
ECONOMIC DEVELOPMENT COMMISSION

Memorandum

TO: Julie Winiarski
Office of Zoning Administration and
Development Management

FROM: A. J. Haley, Acting Director
Economic Development Commission

DATE: December 20, 1991

RE: Zoning Advisory Comments for Meeting of December 17, 1991

This office has no comment for items 92-1, 233, 237, 245, 246, 247, 248, 249, 250, 251, 252 or 253.

RECEIVED
DEC 26 1991
ZONING OFFICE

92-234-A 1-13

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: January 6, 1992

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: E.J. Brody Property, Item No. 247

In reference to the petitioner's request, staff offers the following comment:

Should the applicant's request be granted, the Office of Planning and Zoning recommends that a landscape plan be filed with the deputy director of the Office of Planning and Zoning. Prior to Plan approval, a copy shall be submitted to the Zoning Office and made part of the official file.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL:rdn
ITEM247/TXTROZ

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21204-5500 (301) 887-4500

JANUARY 6, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: E.J. BRODY

Location: #3510 MARMENCO COURT

Item No.: 247 Zoning Agenda: DECEMBER 17, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Noted and
Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

1-13 92-234-A

Robert W. Bowling

92-234-A 1-13

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: January 7, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: December 17, 1991

This office has no comments for item numbers 233, 245, 246, 247, 248, 249, 250, 251, 252 and 253.

Rahee J. Famili
Traffic Engineer II

RJP/lvd

Baltimore County Government
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204 (410) 887-4386

March 6, 1992

Mr. Paul Lee
Paul Lee Engineering, Inc.
304 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: 3510 Marmemo Court
Case No. 92-234-A

Dear Mr. Lee:

This is to acknowledge your letter dated March 4, 1992. I have reviewed the landscaping plan in which you have submitted. I concur with the assessment of Jeffrey W. Long of the Office of Planning and Zoning that this plan is sufficient and complies with the spirit and intent of my Order rendered in the above case.

Further, based upon the photographs of the subject property and the adjacent residential lot, I agree that plantings would be a best effect if undertaken on the residential lot. Although, obviously, I cannot order that those plantings be made on the Protestant's property, I hope that he will acquiesce to that landscaping, as I believe it will be within every-one's best interest.

I have placed a copy of your plan and this letter in the file so that same is made a permanent part of the record in this case.

Please call me if you have any questions regarding this matter.

Very truly yours,
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
cc: file

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

August 25, 1992

Paul Lee
Paul Lee Engineering, Inc.
304 W. Pennsylvania Avenue
Towson, MD 21204

RE: Zoning Review for a Proposed Used
Trailer Cab Sale and Service as an
Accessory Use
Previous Zoning Case #92-234-A
3510 Marmemo Court
13th Election District

Dear Mr. Lee:

This letter is in response to your request for review for zoning requirements necessary to approve the proposed sale and service of used trailer cabs as accessory to an existing trailer sales and service use. Based on the information provided, both by letter and subsequent conversations, the site is located in a planned industrial park of less than 25 acres located in a M.L. zone. The proposed sale of used trailer cabs will require a zoning special hearing for a determination that such sales may be permitted as accessory within the M.L. zone and to amend the last approved zoning hearing and plan. The servicing of these vehicles will require a special exception zoning hearing to permit a service garage use in a M.L. zone pursuant to Section 253.2.8 (B.C.Z.R.). While a zoning variance would be necessary to correct the acreage deficiency due to the fact that 25 acres of M.L. zoned planned industrial park are required for a service garage use to be permitted by special exception.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact John Lewis at 887-3391 (FAX - 887-5708).

Very truly yours,
W. Carl Richards, Jr.
Zoning Coordinator

John L. Lewis
Planner II

PETITIONER * BEFORE THE
E. J. BRODY * ZONING COMMISSIONER
(Variance) * OF
* BALTIMORE COUNTY
* Case No.: 92-234-A
* * * * *

LINE

Madam Clerk:

Please enter my appearance in the above-entitled case on behalf of the protestants, Mr. and Mrs. Calvin Richer, 2830 Rose Avenue, Baltimore, Maryland, 21227.

Charles E. Kountz
2201 Hammonds Ferry Road
Baltimore, Maryland 21227
242-0100

Attorney for Protestants

Paul Lee, P.E.

Paul Lee Engineering Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204
410-821-5341

March 4, 1992

Mr. Larry Schmidt
Zoning Commissioner
Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: #3510 Marmenco Court
Case #92-234-A

Dear Mr. Schmidt:

Please find enclosed herewith one print of the approved Landscape Plan relative to the above mentioned site.

In accordance with your order, we met with the Office of the Deputy Director of Planning and Zoning on site to determine what screening would be required and be the most beneficial to the original protestant.

As a result of the meeting, it was decided that the landscaping would cover the three items that I have noted under Landscape Notes. It was suggested that the plant material be placed on the protestant's lot rather than the subject site since the area on the property where we were proposing the planting was paved and in an existing swale along the property line. It was the county's opinion that the protestant could then inform us as to where he would like the plants to be placed in order to get the most privacy from the screening. The Office of the Deputy Director is aware that if the protestant does not want these plants placed on his property that the planting as proposed would not be required.

I trust the enclosed is satisfactory. If there are any questions, please do not hesitate to contact this office.

Yours sincerely,

Paul Lee
Paul Lee

PL:tl

Enclosure

cc: Mr. Avery Harden w/enc.

Mr. Jeff Long

Mr. Joel Newport w/enc.

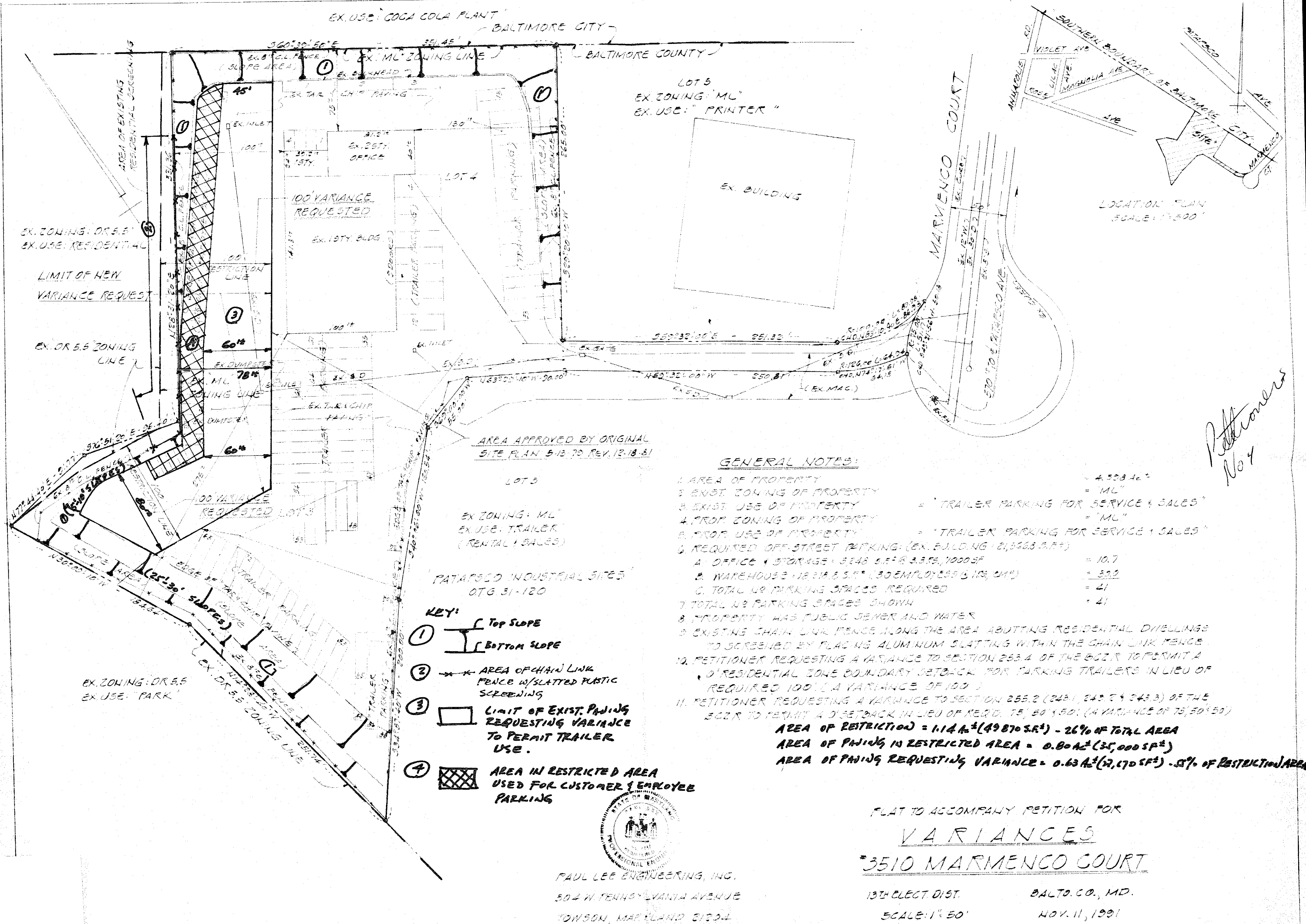
PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Charles F. Mountz, Esq.	2701 Hammond Blvd., #1227
Calvin Richer, Esq.	283 Rose Ave. #1227

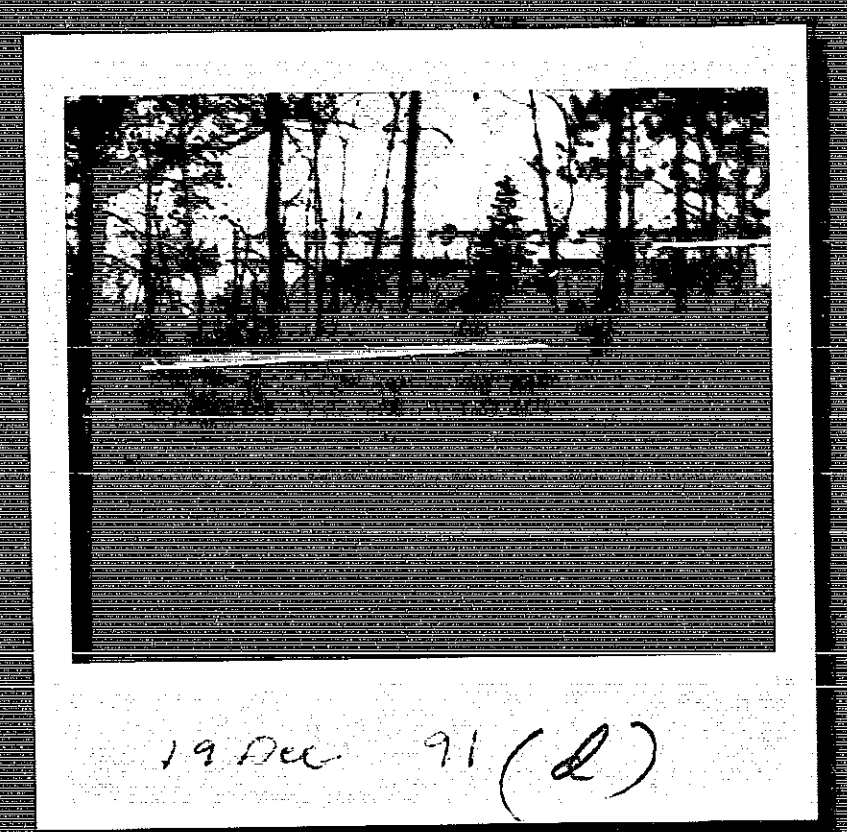
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
JOEL NEWPORT	401 Washington Avenue P.O. 6705 Towson MD 21285
ED BRADY	921 S. Bontalan St. Baltimore MD 21223
DENNIS DRENNER	
3510 MARMENCO CT	21230
PAUL LEE	304 W. Pennsylvania Ave Towson MD 21204



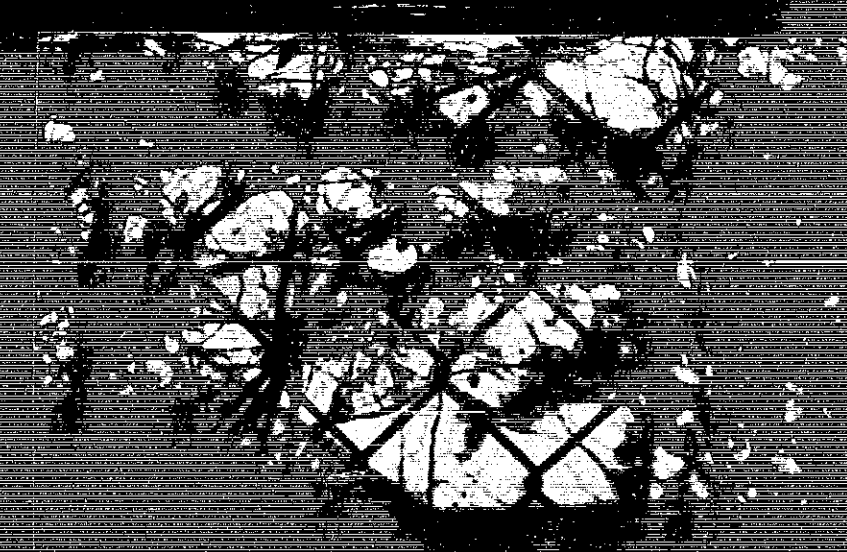
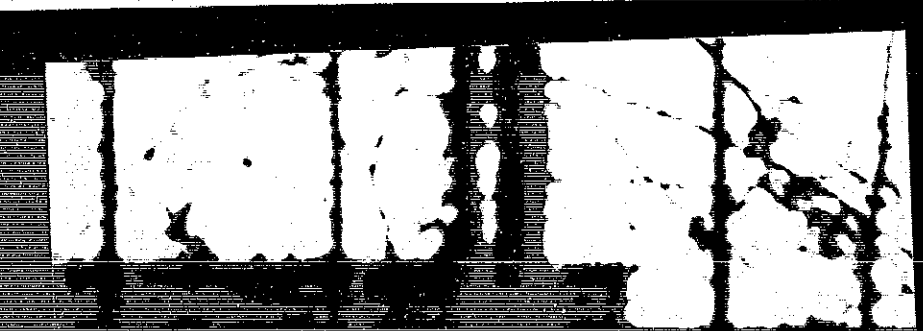
6 Dec-22

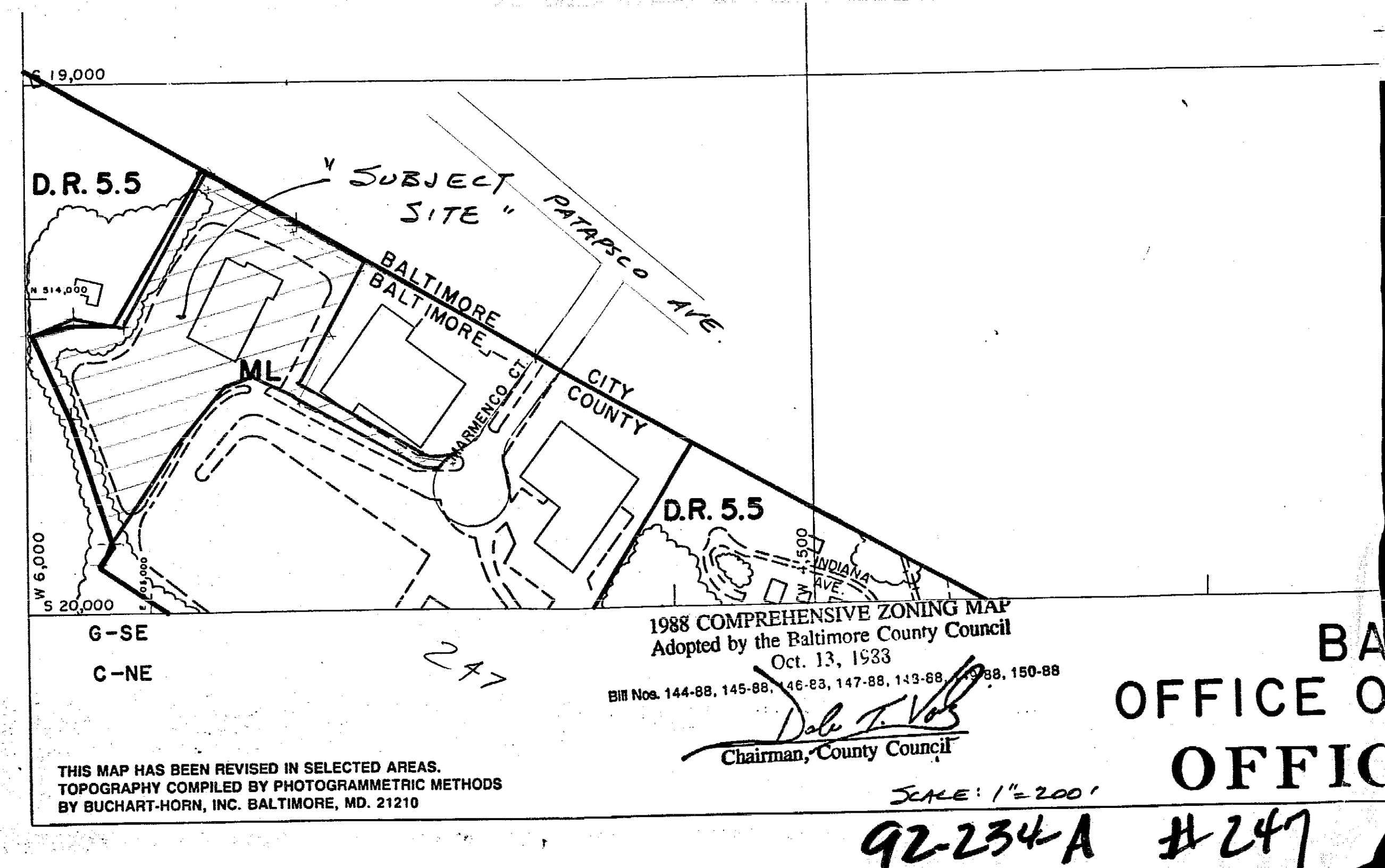
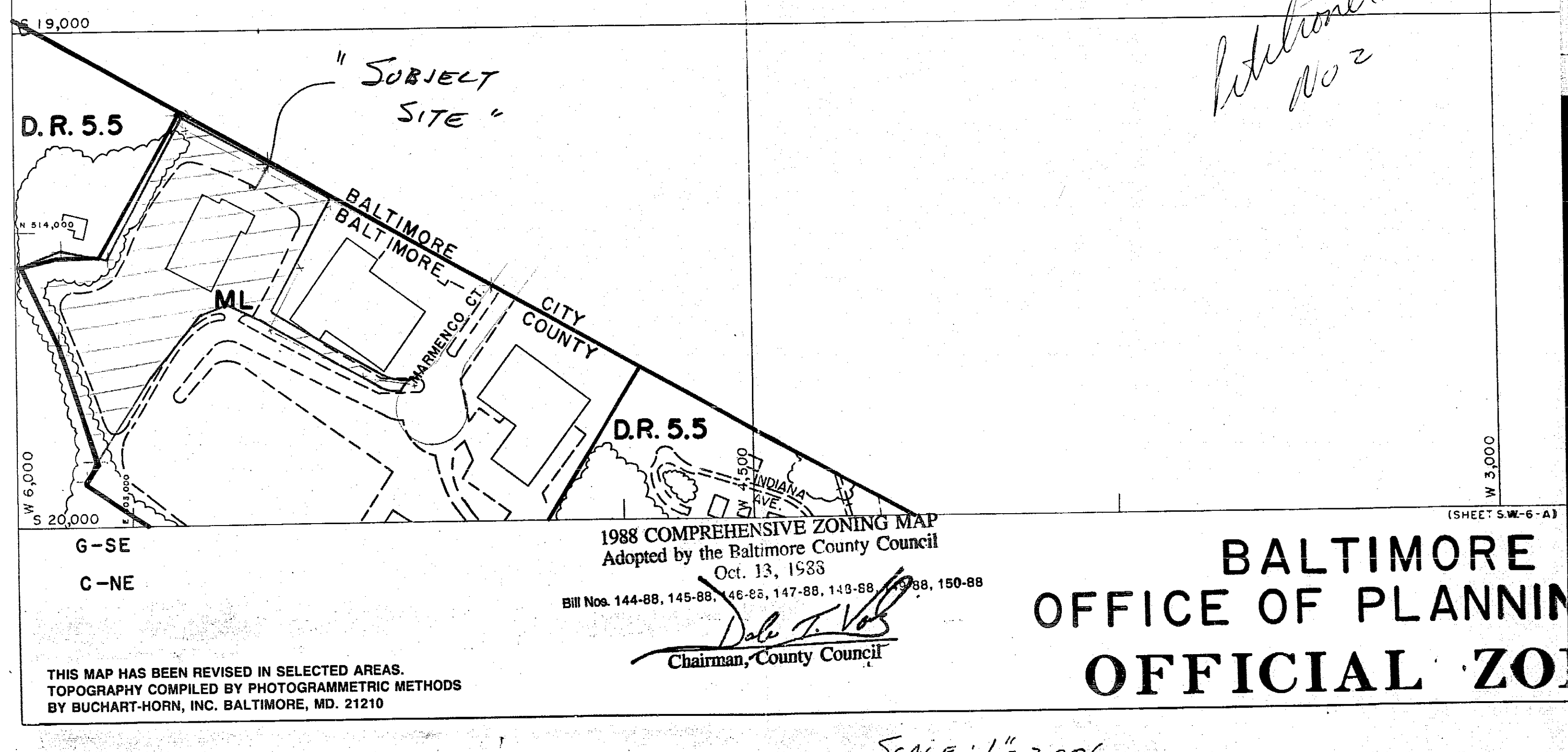


19 Dec 91 (2)



6 Jan 92 walking in Park Ave







*Petitioners
No 3*

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
CLIFFORD

SHEET
S.W.
5-A